

REMARKS/ARGUMENTS

Interview Suggestion

The undersigned believes a personal or telephone interview would be useful and will telephone the Examiner to request the same.

Drawing Objections

The Examiner objected to arrowheads and legends in the drawings. Revised formal drawings are enclosed. The Examiner is respectfully requested to approve and enter the revised formal drawings.

Specification

Paragraphs [0010], [0013], [0015] and [0028] are being amended to remove a typographical error and to use references and terminology which conform to the amended drawings in accordance with the Examiner's instructions.

Rejection under 35 U.S.C. §112, Second Paragraph

Claims 18-20 have been rejected on the ground that "the installing step" in those claims does not clearly correlate to the parent claims. Non-limiting corrective amendments have been made to claims 18-20.

Rejection under 35 U.S.C. §112, First Paragraph

Claims 18-26 were rejected as failing to comply with the written description requirement.

As filed, claims 18-26 were directed to numbers of pipe transponders and seabed transponders used in the claimed invention, but were unclear as to which transponders, installing step(s) and installing location(s) were being referred to in each claim.

The example shown in Fig. 5 and the corresponding text has three seabed transponders STP1, STP2 and STP3, and two pipe transponders PTP1 and PTP2.

Claims 18-26 are being amended consistently with Fig. 5 and recite the steps described in the corresponding text.

Prior Art Rejections

Claims 11-13 and 15-17 have been rejected as anticipated by the admitted prior art (APA). Reconsideration is requested.

In the APA system, it is first necessary to determine the absolute positions of two seabed transponders per array in each of the two arrays. [0014] Three pipe transponders are attached to the pipe and their exact positions are found. To know the exact coordinates of a pipe transponder requires the use of at least two seabed transponders. [0015] After determining the exact positions of the pipe transponders, it is then possible to determine the remaining length of flowline required to reach the target position by comparing the coordinates of the target position with the coordinates of the pipe transponders. [0016] Then the pipe can be cut.

In other words, the APA method is based on determining the exact positions (coordinates) of the pipe and seabed transponders for each pipe transponder, and is time-consuming. [0018]

In contrast, the invention of independent claims 11 and 15 is not based on and does not require determining any exact transponder positions, but more simply is based on relative distances between transponders.

Each of claims 11 and 15 recites:

“determining from said respective distance separating said seabed transponder and said pipe transponder, the remaining length of pipeline needed to reach the second position on the seabed.”

The recited method step is not performed and cannot be performed by the background art.

Claims 18 and 19 depend respectively from claims 11 and 15 and recite an additional patentable feature of the invention, namely: “wherein exactly one pipe transponder is installed on said pipeline in said step of installing a pipe transponder.”

Claims 12 and 16 depend respectively from claims 11 and 15 and recite that “the seabed transponder is arranged on the pipelay route centerline.” This feature too is not

seen in the background art. The background art teaches that arrays of multiple seabed transponders are needed.

The methods of claims 11 and 15 are both simpler than the APA method, include steps and features that are not part of the APA method, and furthermore require less apparatus and less time.

The features of claims 13, 14 and 17 are neither disclosed nor suggested by the APA, for the reasons above, as well as because of the respective features recited in those claims.

For the foregoing reasons, claims 11-17 are neither disclosed nor suggested by the APA.

Claims 1-17 were rejected over the APA in view of Kolb. Reconsideration is requested.

To avoid unnecessary discussion, reference is made to the foregoing discussion of claims 11-17, which applies equally to claim 1. The APA neither discloses nor suggests the features of these claims for the reasons already stated. Kolb adds nothing. Kolb describes a system and method for controlling the position of a seagoing vessel. It has nothing to do with a method for measuring or cutting an undersea pipe to length and discloses nothing relevant to the methods of claims 1, 11 and 15. Even if the references were combined, the claim limitations would not be met. The result would be a combination of the APA method of cutting a pipeline, plus the Kolb method of controlling a vessel. Kolb neither discloses nor suggests making any modifications to the APA pipeline cutting method.

The APA and Kolb cannot disclose or suggest, individually or in combination, the feature in claim 1 mentioned above in connection with claims 11 and 15, namely:

- interrogating said second seabed transponder and said pipe transponder to determine the respective distance between them; and
- comparing the established distance with the distance separating the first and second seabed transponders to calculate the remaining length of pipeline required to reach the second position,

Neither the APA nor Kolb, nor the combination of the APA and Kolb, can accomplish this step, which is central to the claimed invention.

The distinctions between the independent claims and the APA have been discussed above.

As for Kolb, this reference discloses a method for controlling movement of a vessel by reference to “preplaced bottom mounted sonic marker beacons or transponders....” These hypothetical transponders are used for guiding a ship, not for measuring a pipeline length. Kolb has nothing to do with calculating a length of a pipeline, which is the invention of claim 1. Kolb further says nothing about where the hypothetical transponders are located; whether they are on the pipelay route centerline; whether they are laid out in some kind of array; or whether they are arranged in some other speculative relationship to the ship or to the centerline.

Kolb therefore adds nothing to the APA, which already discloses the use of seabed transponders by a ship to lay a pipeline.

Therefore, Neither the APA nor Kolb, nor the combination of the APA and Kolb suggests the subject matter of claims 1, 11 and 15.

Regarding claims 2, 8 and 9, the Examiner admits that the APA and Kolb do not suggest these features. Allowance is therefore in order. Prior art rejections require evidence of the prior art. If it would have been obvious or routine for a skilled person to modify the other prior art and obtain the inventions of these claims, evidence of the ordinary level of skill is required.

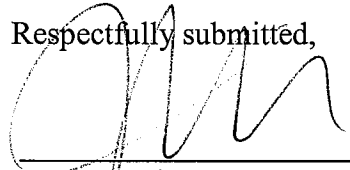
The Examiner cites court decisions in which patent claims were held to be invalid because dimensions recited in the claims were found to be trivial variations on corresponding dimensions in the prior art. However, the cited decisions have nothing to say about the patentability of claims 2, 8 and 9. There can be no argument that the dimensions recited in claims 2, 8 and 9 are mere trivial variations on corresponding dimensions in the prior art, because there are in fact no corresponding dimensions in either the APA or Kolb.

In the absence of prior art showing dimensions to be compared with those in claims 2, 8 and 9, allowance is requested.

In view of the foregoing, allowance of claims 1-26 is requested.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
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Respectfully submitted,



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